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March 15, 2023

VIA ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Upon a decision by Justice Engoron in the state court action regarding Defendants' motion to vacate and modify the preliminary conference order, Defendants shall file a letter regarding such decision. The January 29, 2024, trial date in the instant case remains firm. So Ordered.

Dated: March 16, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Catherine McKoy, et al. v. Trump Corp., et al.*, No. 1:18-cv-9936 (LGS-SLC)

Dear Judge Schofield:

As you are aware, this firm along with Lewis Brisbois Bisgaard & Smith LLP represents the Defendants in the above-referenced action.¹

We write in response to the letter from Plaintiffs' counsel Roberta A. Kaplan ("Ms. Kaplan") to the Court (ECF No. 527), advising the Court of recent filings by Defendants in an unrelated action captioned *People of the State of New York, by Letitia James, Attorney General of the State of New York v. Donald J. Trump, et al.*, Index No. 452564/2022 (Sup. Ct. N.Y. County) (the "State Court Action").

Ms. Kaplan's letter is merely the latest in her ongoing attempts to interfere in the State Court Action, this time incredibly interjecting herself into the State Court Action by sending a copy of her letter to the Hon. Arthur F. Engoron, J.S.C. and volunteering to make herself available if he has any questions, as though she is some sort of authority. The letter is based entirely on speculation, surmise and conjecture, stating only that it "appears" that the modified discovery schedule proposed in the State Court Action would conflict with the current January 29, 2024 trial date in this action. In actual fact, the application in the State Court Action seeks only to extend the deadlines for the completion of fact and expert discovery and the filing of the Note of Issue and Certificate of Readiness by six (6) months. Although Defendants acknowledge in the application that the modified discovery schedule would ultimately impact the trial date, there is no mention, suggestion, or discussion of any specific new trial date in that action.

¹ Donald J. Trump, in his personal capacity, is also represented by Alina Habba, Esq. of Habba Madaio & Associates, LLP.

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Suffice it to say, Defendants are very mindful of the current January 29, 2024 trial date in this action.

As Ms. Kaplan's letter does not seek any relief from this Court, but rather volunteers only to make herself available if this Court has any questions, we respectfully submit that there is no issue for this Court to take up at this time.

We thank the Court for its time and attention to this action.

Respectfully submitted,

ROBERT & ROBERT PLLC

Clifford S. Robert

CLIFFORD S. ROBERT

cc: All Counsel for Record (via ECF)